

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of the)	
)	
)	
Creation of a Low Power)	MM Docket No. 99-25
)	
)	
FM Radio Service)	

**SECOND ORDER ON RECONSIDERATION AND FUTURE NOTICE OF
PROPOSED RULEMAKING**

Introduction

This filing is in response to the call for comments contained in the Commission's Second Order on Reconsideration and Further Notice of Proposed Rulemaking, FCC 05-75, MM Docket No. 99-25, released March 27, 2005.

Ownership and Eligibility

This reasoning by the Commission is illogical. If the Commission wants to require stations to maintain local production facilities and a meaningful staff presence, let it develop a rule for that purpose. There is no necessary link between facilities and staff presence and local programming.

Facilities and staff could be existent without any broadcast of any local programming. And local programming can be generated without facilities and staff within a 10-mile radius of the station's antenna.

The primary goal for the LPFM Radio Service is to provide real local programming for under served communities. For this reason, the Commission's determination that time-shifted programming [not produced to exclusively deal with local concerns] is not local programming is warranted. However, the Commission's determination to mix apples and oranges, mixing the requirement for staff presence and production facilities with the definition of local programming, thwarts the primary goal and frustrates stations who really want to broadcast local programming.

In small markets, "away" local athletic events are often produced by local people using locally owned equipment outside a 10-mile radius. Interface is maintained with local switching equipment and a local automation system by the local people outside the radius with no personnel in the studio.

I request that the definition of local programming be changed to allow credit for all local programming, not just that produced within the 10-mile radius.

A handwritten signature in black ink, appearing to read "Kenneth W. Bowles". The signature is fluid and cursive, with a long horizontal stroke at the end.

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